

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JESSICA BROWN,

Plaintiff(s),

v.

HENDERSON NA P.D., et al.,

Defendant(s).

Case No. 2:24-cv-00406-CDS-NJK

REPORT AND RECOMMENDATION

Plaintiff initiated this case without paying the required fee and filed an incomplete application to proceed *in forma pauperis*. Docket No. 1. On March 1, 2024, the Court ordered Plaintiff to pay the filing fee or file a complete application to proceed *in forma pauperis* by April 15, 2024. Docket No. 3. The Court warned that “[f]ailure to comply will result in a recommendation to the District Judge that this case be dismissed.” *Id.* at 2. Notwithstanding that warning, Plaintiff did not comply. On May 17, 2024, the Court then *sua sponte* extended the deadline for Plaintiff to pay the full filing fee or file a fully complete *ifp* application to June 17, 2024. Docket No. 6. Plaintiff has not complied by paying the full filing fee or filing a fully completed application.

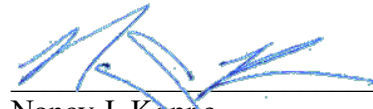
This case cannot proceed without Plaintiff either paying the filing fee or filing a motion to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); *see also* 28 U.S.C. § 1915(a). Having refused to do either in this case, Plaintiff’s complaint is subject to dismissal. *E.g., Desai v. Biden*, 2021 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021), *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

Moreover, Plaintiff’s refusal to comply with the Court’s order is an abusive litigation practice that has interfered with the Court’s ability to hear this case, delayed litigation, disrupted the Court’s timely management of its docket, wasted judicial resources, and threatened the

1 integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than
2 dismissal are unavailable because Plaintiff has refused to comply with the order of this Court
3 notwithstanding the warning that case-dispositive sanctions may be imposed.

4 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
5 prejudice.

6 Dated: June 25, 2024

7 
8 Nancy J. Koppe
9 United States Magistrate Judge

10 **NOTICE**

11 This report and recommendation is submitted to the United States District Judge assigned
12 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
13 recommendation must file a written objection supported by points and authorities within fourteen
14 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
15 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
16 F.2d 1153, 1157 (9th Cir. 1991).